

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JIMMY R. PINKHAM, D.D.S., RESPONDENT

STATEMENT OF CHARGES,

**SETTLEMENT AGREEMENT and FINAL ORDER
(combined)**

COMES NOW the Iowa Board of Dental Examiners (the Board), and
Jimmy R. Pinkham, D.D.S. (Respondent), on March 13, 2003, and pursuant
to Iowa Code sections 17A.10(2) and 272C.3(4), enter into the following combined
Statement of Charges, Settlement Agreement and Final Order.

STATEMENT OF CHARGES

1. Respondent was issued license number 5919 to practice dentistry in Iowa on July 2nd, 1973.
2. Respondent's Iowa dental license is current and will expire on June 30, 2004.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.

COUNT I

4. The Respondent is charged under Iowa Code Section 153.34(4) (2001) with willfully or repeatedly violating a Board rule by violating the terms of a recovery contract that he entered into with the Impaired Practitioner Review Committee (IPRC), in violation of 650 Iowa Administrative Code Section 30.4(27).

CIRCUMSTANCES

5. Respondent self reported to the IPRC on December 30th, 1998. Respondent subsequently underwent an in-patient evaluation and participated in a treatment program after being diagnosed as alcohol dependant.
6. Respondent signed a recovery contract with the IPRC on July 15th, 1999. Respondent agreed in this contract to comply with numerous terms and conditions, which included his abstinence from the use of alcoholic beverages.
7. On March 15th, 2000, the IPRC referred the Respondent to the Board for instances of non-compliance with his recovery contract. The instances of non-compliance involved Respondent failing to submit required reports and failing to submit to required monitoring tests. The Board reviewed this matter and determined to allow Respondent to remain under the jurisdiction of the IPRC.
8. On December 12th, 2002, the IPRC again referred Respondent to the Board for instances of non-compliance with his recovery contract. These instances

of non-compliance involved multiple drug screenings that tested positive for the presence of ethanol (alcohol). Respondent admitted that he had started drinking alcoholic beverages again.

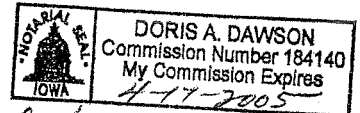
SETTLEMENT AGREEMENT

9. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
10. Immediately upon the Board's approval of this Settlement Agreement, Respondent voluntarily surrenders his Iowa dental license.
11. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.
12. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
13. This combined Statement of Charges, Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this combined Statement of Charges, Settlement Agreement and Final Order, it shall be of no force or effect to either party.
14. The Board's approval of this Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

Jimmy R. Pinkham
Jimmy R. Pinkham, D.D.S., Respondent

Subscribed and sworn to before me on February 17, 2003.

Notary Public, State of Iowa, Johnson County



Doris A. Dawson

This combined Statement of Charges, Settlement Agreement and Final Order is approved by
the Board on March 13, 2003.

LeRoy I. Strohman

LeRoy I. Strohman, D.D.S., Chairperson
Iowa Board of Dental Examiners
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